



Northern Ireland  
Assembly

Committee for Communities

# OFFICIAL REPORT (Hansard)

Licensing and Registration of Clubs  
(Amendment) Bill: Committee Deliberations

29 April 2021



amend, if required, both references in the future. The amendments that we have received so far are as follows:

*"In page 30, line 8, leave out '1 June and ends on 31 August' and insert '1 May and ends on 30 September'."*

and:

*"In page 30, line 25, leave out 'one such ceremony' and insert 'up to three such ceremonies'".*

Members, are you content with the proposed amendments? I think that they are what we had asked for, so we should be content.

*Members indicated assent.*

**The Chairperson (Ms P Bradley):** We move on to cinemas. The Department confirms that preparatory work has commenced to carry out a consultation over the summer months. Are members content with that?

*Members indicated assent.*

**The Chairperson (Ms P Bradley):** We move to the review clause. The Minister has accepted the Committee's request for subsequent reviews to take place no later than five years after the last report and that a sunset subsection be included. This will be taken forward as a departmental amendment. Are members content that this now deals with the issue of the review clause and that no Committee amendment is therefore required?

*Members indicated assent.*

**The Chairperson (Ms P Bradley):** We turn to the text of the departmental amendments so far. They are outlined in your tabled papers. The first is to clause 4, "Police authorisations for additional hours". This will increase the number of times provided for in the Bill that small pubs can apply to the police for late opening from 85 to 104. It will also increase the number of times provided for in the Registration of Clubs (Northern Ireland) Order 1996 that registered clubs can apply to the police for late opening for special occasions from 85 to 104. The draft amendments are:

*"In page 5, line 26, leave out '85' and insert '104'."*

and:

*"New Clause*

*After clause 24 insert—*

*'Increase in number of authorisations for special occasions'*

*24A. In Article 26 of the Registration of Clubs Order (authorisation for special occasions), in paragraph (2), for '85' substitute '104'."*

Again, members, this is what we had asked for, and, thankfully, the Department has said that it will happily do it. Are members content with the proposed amendments?

*Members indicated assent.*

**The Chairperson (Ms P Bradley):** I should say that not only the Department but the Minister agreed to those amendments.

We move to clause 11, "Underage functions", which is to allow a young person to remain on the premises while in the process of leaving or waiting to be collected. The draft amendment to clause 11 is:

*"In page 16, line 38, after 'force' insert 'or during the first 30 minutes after the authorisation has ceased to be in force'".*

The draft amendment to clause 27 is:

*"In page 29, line 84, after 'force' insert 'or during the first 30 minutes after the authorisation has ceased to be in force'".*

Are members content with the proposed amendments?

*Members indicated assent.*

**The Chairperson (Ms P Bradley):** We move on to clause 12, "Private functions", which is to allow a young person to attend a private function with a parent of another young person who is also attending the function. The draft amendment to clause 12 is:

*"In page 17, line 28, leave out 'of a parent' and insert 'either of a parent of that person or of a parent of another person who is under 18 and attending the function'".*

The draft amendment to clause 28 is:

*"In page 29, line 29, leave out 'of a parent' and insert 'either of a parent of that person or of a parent of another person who is under 18 and attending the function'".*

**Ms Armstrong:** May I check that? It is not in keeping with section 75. Not everybody has a parent. Should that not be "either of a parent or guardian of that person or parent or guardian of another person"? We are assuming that only parents take young people to events, not, for example, aunts, uncles, youth workers and so on.

**The Chairperson (Ms P Bradley):** Or is it parental responsibility? I do not know. Liam or Carol, do you have any comment on that?

**Mr Quinn:** We may have to take advice from counsel on that. Carol, have you anything to add?

**Ms Reid:** Yes, certainly. That relates only to the specific amendments under clause 12 and the new article 4(a)(b) of the order. The definition of a "parent" is still in the Bill. That definition has not been taken out, and it includes that parental responsibility. This is just saying that it could be somebody other than their own parent or the person who has responsibility for them. The definition is still included.

**Ms Armstrong:** Go over that definition again, Carol, please. Sorry.

**Ms Reid:** No, you are OK. Clause 12(2) states:

*"In Article 2 of the Licensing Order (interpretation), in paragraph (2), at the appropriate place insert—*

*“parent”, in relation to a person under the age of 18, includes any individual who—*

*(a) has parental responsibility for that person (within the meaning of the Children (Northern Ireland) Order 1995), or*

*(b) has care of that person.”.*

That definition applies to both of those scenarios: the young person's actual parent, their friend's parent or whoever is accompanying them is the "parent".

**Ms Armstrong:** Yes. It is just that I do not want care leavers to feel as though they are being excluded or youth workers not being able to take young people to functions. With that definition in the Bill, that will be clear enough, hopefully. The use of the word "parent" can, as we know, cause emotional damage to some people who do not have parents. As long as we have that definition, that should be OK.

**Ms Reid:** Yes, that definition remains. That has not been amended.

**The Chairperson (Ms P Bradley):** Are you happy enough with that, Kellie? Is that clear enough?

**Ms Armstrong:** Maybe I am still concerned that the word "parent" is there instead of "parent or guardian". However, if it is referred to elsewhere, and there is a definition that explains that it does not mean that a "parent" has to be somebody who has given birth to that person, or their partner, that is fine.

**The Chairperson (Ms P Bradley):** Are members content with the proposed amendments on private functions?

*Members indicated assent.*

**The Chairperson (Ms P Bradley):** Is that all that we have to do on that?

**The Committee Clerk:** Chair, we await a number of ministerial amendments before we can do the clause-by-clause consideration.

**The Chairperson (Ms P Bradley):** Yes. We are still waiting for some. Thank you, Liam and Carol, for getting this information through to us.

Members, following on from our discussions on taprooms, do you want to ask any questions of the Department while the officials are here? I remind members that we are live and on open mic — you would think that we were a comedy club; some might say that we are. We had questions about how the 104 days would work. While Liam and Carol are here, members, does anyone want to ask them about that? Of course, we are going back into closed session. Do members prefer that we keep Liam and Carol here for a bit of that?

*Members indicated assent.*